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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Paper No. 14

Application Number: 09/077,456  
Filing Date: May 29, 1998  
Appellant(s): Anthony et al

George T. Marcou, Reg. No. 33,014  
For Appellant

**EXAMINER'S ANSWER**

**MAILED**  
OCT 22 2001  
Technology Center 2100

This is in response to appellant's brief on appeal filed August 07, 2001.

**(1) *Real Party in Interest***

A statement identifying the real party in interest is contained in the brief.

**(2) *Related Appeals and Interferences***

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

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**(3) *Status of Claims***

The statement of the status of the claims contained in the brief is correct.

**(4) *Status of Amendments After Final***

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) *Summary of Invention***

The summary of invention contained in the brief is correct.

**(6) *Issues***

The appellant's statement of the issues in the brief is correct.

**(7) *Grouping of Claims***

Appellant's brief includes a statement that claims 1-55 are arranged into 6 groups, wherein the claim(s) in each group stand or fall together for purposes of the appeal.

The copy of the appealed claims contained in the Appendix to the brief is correct.

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**(9) *Prior Art of Record***

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

5,485,370

Moss et al.

June 16, 1996

**(10) *Grounds of Rejection***

The following ground(s) of rejection are applicable to the appealed claims.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371<sup>®</sup> of this title before the invention thereof by the applicant for patent.

2. Claims 1-3, 6-22, 24-37, 40-51 and 53-55 are rejected under 35 U.S.C. 102(e) as being anticipated by Moss et al ( US Patent 5,485,370 ).

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Moss et al show:

**Claim 1.** A method for providing remote access to financial services comprising the steps of:

a) providing at least one business host [ Fig. 1 ( any of 8, 20a, b or d ), col 7, lines 9 and 21-24 ];

b) selectively electronically linking a server to the business host [ Fig. 1 ( 8 or 20c linking to 20a, b or d ); and

c) selectively electronically linking at least one automated teller machine (ATM) and at least one home banking terminal to the server where a first user interface displayed on the ATM and a second user interface displayed on the home banking terminal are substantially the same [ Fig. 10 ( 1, 4, 19 ), Abstract, lines 4-7, col 18, line 24, col 29, lines 57-62, Fig. 10 ( 19, 60 or 60c ) and Fig. 15 ( any of 584, 586 and 588 ) ].

**Claim 2.** A method for allowing a first user to gain remote access to financial services, the method comprising the steps of:

a) providing at least one business host [ Fig. 1 ( any of 8, 20a, b or d ), col 7, lines 9 and 21-24 ];

b) selectively electronically linking a server to the business host [ Fig. 1 ( 8 or 20c linking to 20a, b or d ); and

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c) selectively electronically linking a remote terminal to the server [ Fig. 10 ( 1 linking to 8 or 60c ); and

d) displaying information on the remote terminal in a language selected by first user during a configuring use of the remote terminal [ Fig. 10 ( 1 or 19 connected to 60 or 60c ), col 29, lines 8 and 11-13 ].

**Claim 3.** The method of claim 2 further comprising the step of displaying information on the remote terminal in a second language selected by a second user during a configuring use of the remote terminal, in which the remote terminal can distinguish between the first user and the second user during subsequent accessing of financial services and display the language previously selected by that user [ Fig. 17 ( English, German ) and Fig. 16 described col 29, lines 45-54 ( specifically line 49 ) ].

**Claim 6.** A method for performing financial transactions from a location remote from a business host [ Fig. 1 ( 2 or 10 to 8 or 20a, b or d ) ] comprising the steps of:

a) providing an automated teller machine (ATM) having a first user interface [ Col 29, lines 57-62 and Fig. 15 ( 580, 584-588 ) described col 28, lines 66-67 continue col 29, lines 1-5 ];

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b) installing user software on a remote terminal, the remote terminal having a second user interface that is substantially identical to the first user interface [ Col 36, lines 32-35 and Fig. 15 ( any of 584, 586 and 588 ) ];

c) configuring the user interfaces to display data in a language selected by a user [ Col 8, lines 32-35 and Fig. 1 ( 2a ) ];

d) establishing an electronic link between the remote terminal and a server [ Fig. 1 ( 2 or 10 linking to 8, 20a, b or d ) and col 29, lines 7-9 ] ; and

e) establishing an- electronic link between the server and a business host [ Fig. 1 ( 8 or 20c to 20a, b or d ) and col 29, lines 7-9 ].

**Claim 7.** The method claim 6 further comprising the step of authenticating the identity of a user by comparing a personal identification number (PIN) of a user with a PIN resident on the server [ Col 15, lines 13-14 and 18 and Fig. 1 ( 20c ) ].

**Claim 8.** The method of claim 6 further comprising the step of encrypting and transmitting data between the remote terminal and the server [ Col 8, lines 62-64 ].

**Claim 9.** The method of claim 6 in which the step of installing user software on a remote terminal is performed by installing the software on a personal computer [ Col 36, lines 27-31 and Fig 1 ( 10 ) ].

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**Claim 10.** The method of claim 6 in which the step of installing user software on a remote terminal is performed by installing the software on a personal data assistant [ Col 36, lines 27-31 and Fig. 1 ( 2 ) ].

**Claim 11.** The method of claim 6 further comprising the step of performing a financial transaction [ Col 1, lines 38-42 and 48-49 ].

**Claims 12 and 41.** the step of performing a financial transaction is performed by editing a payee list [ Fig. 14 ( 530 Editors ) ].

**Claims 13 and 42.** the step of performing a financial transaction is performed by authorizing a direct debit [ Col 27, line 37 and Fig. 14 ( 560 ) and col 8, line 23. It needs be mentioned that the authorizing key would be usable for performing a direct debit ].

**Claims 14 and 43.** the step of performing a financial transaction is performed by deleting a direct debit [ Col 28, lines 49-50. It needs be mentioned that the deletion function would be usable for deleting a direct debit ].



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**Claims 15 and 44.** the step of performing a financial transaction is performed by purchasing a mutual fund [ Col 7, line 53 and col 13, lines 57-67. It needs be mentioned that stocks transaction would include purchasing a mutual fund ].

**Claims 16 and 45.** the step of performing a financial transaction is performed by selling a mutual fund [ Col 13, lines 57-67. It needs be mentioned that stocks transaction would include selling a mutual fund ].

**Claims 17 and 46.** the step of performing a financial transaction further comprises the steps of:

{ a) selecting a mutual fund; and  
b) reviewing a mutual fund } [ Col 13, lines 57-67. Selecting and reviewing of mutual fund are inherently logical steps ].

**Claims 18 and 47.** the step of performing a financial transaction is performed by reviewing account information [ Col 8, lines 20-22 ].

**Claims 19 and 48.** the step of performing a financial transaction is performed by reviewing securities information [ Col 13, lines 57-67 ].

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**Claims 20 and 49.** the step of performing a financial transaction is performed by generating a transaction journal [ Fig. 14 ( 542 ) and col, lines 53-54. It needs be mentioned that the report generating utility would be usable for generating a transaction journal ].

**Claims 21 and 50.** the step of performing a financial transaction is performed by transferring assets from a first account selected from a plurality of accounts to second account selected from the plurality of accounts [ Col 18, line 59 and col 8, lines 21-23 ].

**Claims 22 and 51.** the step of exchanging the assets of the first account to a currency consistent with the second account [ Fig. 17 ( \$999,999.99 -> 999.999,99 DM ).

**Claims 24 and 53.** step of performing a financial transaction is performed by printing an account statement [ Col 11, lines 49-51, Fig. 14 ( 542 ), col 27, lines 53-54. It needs be mentioned that the report generating function/utility would be usable for generating/printing an account statement ].

**Claims 25 and 54.** the step of performing a financial transaction is performed by printing a balance summary [ Col 11, lines 49-51 and Fig. 14 ( 542 ), col 27, lines 53-54. It needs be mentioned that the report generating function/utility would be usable for generating/printing a balance summary ].

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**Claims 26 and 55.** the step of performing a financial transaction is performed by processing a payment [ Col 1, lines 38 and 48-49 ].

**Claim 27.** The method of claim 6 in which the step of establishing an electronic link between the remote terminal and a server further comprises the steps of:

- a) sending an authorizing message to the server [ Col 8, lines 23 and 8-16 ];
- b) sending the authorizing message to a bank security server [ Claim 1 ( 9 ), col 8, line 23 and Fig. 1 ( 20a, b ) ]; and
- c) sending the authorizing message to a bank hardware encryption device [ Claim 1 ( 9 ), col 8, lines 23 and 62-65 ].

**Claim 28.** The method of claim 6 in which the step of establishing an electronic link between the server and a service provider further comprises the steps of:

- a) sending an authorizing message to the business host [ Claim 1 ( 9 ), col 8, line 23 and Fig. 1 ( 20a, b ) ]; and
- b) sending a message from the business host to the server, in which the message authorizes hookup [ Claim 1 ( 9 ), Fig. 1 ( from 20a, b to 8 or 20 c ). It needs be mentioned that pressing authorize key would be usable for sending a signal to authorizing a hookup ].

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**Claim 29.** The method of claim 6 further comprising the step of sending a marketing message from the business host to the remote terminal [ Col 8, lines 54-55 and Fig. 1 ( from 20a, b or d to 2 aor 10 ) ].

**Claim 30.** A system for providing remote access to financial services comprising:

- a) at least one business host [ Fig. 1 ( any of 20a, b or d ) ];
- b) a server selectively electronically linked to the business host [ Fig. 1 ( 8 or 20c linked to 20a, b or d ) ];
- c) at least one automated teller machine (ATM) having a first user interface displayed thereon, in which the ATM is electronically linked to the server [ Col 18, line 24, col 29, lines 57-62 and Fig. 1 ( 8 or 20c linked to 2 or 10 ) ]; and
- d) at least one home banking terminal having a second user interface displayed thereon, in which the home banking terminal is electronically linked to the server and in which the first and second user interfaces are substantially the same [ Fig. 10 ( 4, 19 ) and Fig. 15 ( any of 584, 586 and 588 ) ].

**Claim 31.** A system for providing remote access to financial services comprising:

- a) at least one business host [ Fig. 1 ( 20a, b or d ) ];
- b) a server selectively electronically linked to the business host [ Fig. 1 ( 8 or 20c linked to 20a, b or d ) ]; and

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c) at least one remote terminal which displays information, the terminal being selectively electronically linked to the server, in which each time the system is operated by a first user, the information is displayed in a first language selected by the first user during a configuring use of the system [ Fig. 10 ( 4, 19 ) and Fig. 15 ( any of 584, 586 and 588 ) and Fig. 17 ( English, German ) ].

**Claim 32.** The system of claim 31 in which each time the system is operated by a second user, the information is displayed in a second language selected by the second user during a configuring use of the remote terminal and in which the remote terminal can distinguish between the first user and the second user during operations of the system and displays the language previously selected by that user [ Fig. 17 ( English, German ) and Fig. 16 described col 29, lines 45-54 ( specifically line 49 ) ].

**Claim 33.** A system for providing remote access to financial services comprising:

- a) at least one business host [ Fig. 1 ( any of 20a, b or d );
- b) a server selectively electronically linked to the business host [ Fig. 1 ( 8 or 20c linked to 20a, b or d ) ];
- c) at least one automated teller machine (ATM) electronically linked to the server in which the ATM displays a first user interface in a language selected by a user [ Col 18, line

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24, col 29, lines 57-62 and Fig. 17 ( English, German ) and Fig. 15 ( any of 584, 586 and 588 ) ];

d) at least one home banking terminal further comprising a user supplied platform and user software installed thereon in which the home banking terminal displays a second user interface in the language [ Fig. 1 ( 2 or 10 ), abstract, lines 4-6 and Fig. 17 ( English, German ) ];

e) in which the first and second user interfaces are substantially identical [ Fig. 15 ( any of 584, 586 or 588 ) ].

**Claim 34.** The system of claim 33 in which the user software further comprises:

- a) a runtime application [ Fig. 14 ( 554, 562, 510 ) ];
- b) an installation program [ Fig. 14 ( 520 ) ];
- c) a configuration program [ Fig. 14 ( 520 ) ]; and
- d) a help program [ Col 8, line 36 ].

**Claim 35.** The system of claim 33 in which the server further comprises:

- a) a packet assembler/disassembler [ Abstract, lines 11-12 ];
- b) a session controller [ Fig 1 ( 6 ) ];
- c) a customer activated terminal (CAT) terminal protocol interface [ Fig. 1 ( 2 ) ];
- d) a terminal application front end [ Fig. 14 ( 556 ) ];

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- e) a CAT session manager [ Fig. 2 ( 2, 6 ) ];
- f) a CAT common integrator [ Figs. 11 and 12 ( 132 ) ];
- g) an activity log server [ Fig. 12 ( 130 ), col 22, lines 42-44 ];
- h) a secure encryption server [ Col 8, lines 62-63 ];
- I) a host message normalizer [ Inherently implied ];
- j) an X.25 normalizer [ Fig. 13 ( Ethernet X.25 ) ]; and
- k) at least one business application [ Figs 11 and 12 ( 128 ) ].

**Claim 36.** The system of claim 33 in which the electronic links between the server and the business host, the ATM and the remote terminal are secure [ Col 10, line 64 and Fig. 1 ].

**Claim 37.** The system of claim 33 in which the electronic links between the server and the business host, the ATM and the remote terminal carry data transmissions in which at least some of the data transmissions are compressed and in which enhanced error detection and correction are used to preserve the integrity of the data being transmitted [ Fig. 1, col 10, lines 54-56 ].

**Claim 40.** The system of claim 33 in which there are at least two business hosts where a first of the business hosts is a user's home institution and the second of the business

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hosts is an outside business provider [ Fig. 1 ( 20a, b or d ). It needs be mentioned that any of the business host would be home institution for local user and would be an outside institution/provider for a outside/foreign user ].

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 5, 23, 38, 39, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moss et al ( US Patent 5,485,370 ).

In the following claim Moss et al disclose:

**Claim 4.** A method for allowing a plurality of users to remotely access the financial services of at least one service provider [ Claim 10, line 16 and Fig. 1 ( 20a, b or d ) ] comprising the steps of:

a) installing user software on a plurality of remote terminals [ Col 36, lines 27-31. It needs be mentioned that there would be more than one terminals like 2 or 10 in Fig. 1 ];

b) configuring the user software to reflect each user's preferences [ Col 8, lines 32-35 ];



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c) providing a uniform connection between the remote terminals to a standard international host [ Fig. 1 ( 2 or 10 having connection with 8, 20a, b or d ), col 29, lines 39-40 and 45-46 ];

d) providing a plurality of business applications resident on the standard international host, in which the configuration of each of the applications is controlled at the standard international host [ Fig. 1 ( 20a, b or d ) and abstract, lines 4-7, col 26, line 25, Figs. 14-19, col 6, lines 36-53, col 29, lines 39-40 and 45-46 ];

e) linking the standard international host to the service provider [ Fig. 1 ( 8 linked to 20a, b or d ) ];

f) providing secure communication between the user, the standard international host and the service provider [ Col 8, lines 51-53 and 62-65, col 22, lines 42-43 ];

g) providing enhanced error detection and correction for communications between the user, the standard international host and the service provider [ col 28, line 41, col 10, lines 34-35, 54-56, Fig. 1 ( 8 and any of 20a, b or d ) ]; and

In the following element, Moss et fail to disclose “ data compression ”:

h) providing data compression for communications between the user, the standard international host and the service provider.

Official notice is taken that the “ data compression ” is old and well known technique practiced in the art of data/information communication. It would have been obvious to one of ordinary

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skill in the art at the time of applicant's invention to incorporate the same in Moss et al's invention, because it would facilitate an efficient transmission of data/information between/among the users/devices.

**Claim 5.** The method of claim 4 in which the step of configuring the user's software further comprises the step of selecting a language [ Col 29, lines 46-49, Fig. 17 ( selecting English or German ) ].

In the undernoted claims:

**Claims 23 and 52.** the step of performing a financial transaction is performed by ordering checks.

Moss et al do not teach “ ordering checks ”.

Official notice is taken that ordering checks ( online/offline ) is an old and well known practice in the field of business computing. It would have been obvious to one of ordinary skill in the art at the time of instant invention to take advantage of the available technique/practice.

In the following claim:

**Claim 38.** The system of claim 33 further comprising a router.

Moss et al fail to show a router.

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Official notice is taken that Routers are old and well known in the communication art. It would have been obvious to one of ordinary skill in the art at the time of present invention to make the use device in vogue.

In the unmentioned claim:

**Claim 39.** The system of claim 33 in which the router is a small financial CAT gateway.

Moss et al fail to teach a gateway.

Official notice is taken that use of gateway is old and well known in the communication art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to utilize the available device.

**(11) *Response to Argument***

In general, appellant's arguments fail to consider the full teachings of the reference in light of the knowledge generally available to those in the appropriate art and the level of ordinary skill in this art. Moreover, appellant's arguments take an overly narrow view of the claim language.

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**Group I ( Claims 1, 6-30, 33-37, 40-51, 53-55 )**

Appellant argues:

a) Page 5, lines 15-22: “ there is no disclosure or suggestion in the Moss et al reference of a first user interface displayed on the ATM and a second user interface displayed on the home banking terminal that are substantially the same, as recited in the claims of Group I. In response to the Examiner’s citation to portions of the Moss et al reference, Fig. 10 merely shows a telephone-computer 1 having a display 4 and PC terminal 19 having a separate monitor display. There is no mentioning in the reference that the telephone computer display 4 and the PC monitor display have substantially the same user interface ”.

Moss et al’s Fig. 10 depicts computer network system providing a user with a telephone-computer with display 4 and an equivalent terminal 19 which shows a monitor display. Further more, “terminal” relates to both telephone-computer 1 and PC terminal 19 [ Col 18, lines 21-19 ].

The terminal/telephone-computer 1 has been variously referred in Moss et al, such as; home terminal [ col 5, line 11 ], home terminal 2 [ col 7, line 10 ], microcomputer 2 [ col 7, line 21 ], user terminal 2 [ col 8, line 9 ], telephone computer 1 [ col 18, line 24 and ATM or telephone computer [ col 29, line 62 ].

The terminal 1, Fig. 10, is described as including: a display for displaying prompts for controlling the operation, data input means, telephone electronics, computing means, memory, means to electronically connect and control the display [ col 5, lines 13-16 ], a modem to

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connect it to the host computer [ Fig. 10 ( 60 ), col 18, line 27 ] and to service providers [ col 5, lines 40-41, Fig. 10 ( 60a, 69b, 60d ) ]. The terminal 1 of Fig. 10, beside standard telephone, functions as general purpose computer [ col 5, lines 18-19 ]. Again, as per col 29, line 62, the telephone-computer functionally acts as ATM.

In the light of above discussion, user interface displayed on Fig. 10 terminal 1 ( ATM ) and the user interface displayed on the Fig. 10 terminal 19 ( home banking terminal ) would be substantially same.

Wording “ telephone-computer 1 .... and an equivalent terminal 19 ”, clearly indicate that the devices have closer similarity and ought to depict substantially same interface displayed on them.

The claimed feature “ substantially the same interface displayed on the two terminals ” is met by Moss Et al reference.

b) Page 5, lines 22-25: “ Likewise, Fig. 15 merely illustrates a local area network ( LAN ), with server workstation 580 connected to via LAN 582 to workstations 584, 586 and PC 588 ( col 29, lines 1-5 ). Indeed, Fig. 15, does not even show an ATM as part of the LAN network or connected to the LAN 582 ”.

Moss et al's Fig. 15 shows a local arrangement where “ In the client work stations 584, 586, the application generation system runs locally ( any where in the world ). As the presence of ATM in LAN is concerned, any of client/user workstations or any of clients PC's would

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act/function as ATM as per the terminology for telephone-computer discussed in Group I a) above.

c) Page 5, last three lines ending page 6, line 2: “ In a preferred embodiment relating to banking services, these messages are transaction-oriented, and are the messages which pass to and from the host(s) to gather information from and send to the banking customer at an ATM or telephone computer.

“ATM or telephone computer” in above lines from Moss et al point out that one device ( ATM ) or the second device ( telephone computer ) perform the same function ( send and receive transaction messages to and from the host computer 60, Fig. 10 ). In other words, functionally the two devices are synonymously employed which shows the presence of ATM in Moss et al.

d) Page 6, lines 3-17. In discussion of a) above it has been shown that the two devices ( ATM or telephone computer ) display substantially the same user interface.

## **Group II ( Claims 2 and 3 ).**

Appellant argues:

1) Page 6, last three lines ending page 7, line 1: “ allowing a first user to gain remote access to financial services, including displaying information on the remote terminal in a language selected by the first user “ during a configuring use of the remote terminal .” Is not met by Moss et al.

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In this respect it needs be noted as to whether what is being argued is what is claimed.

Claim 2, lines 6-7 recite: “ displaying information on the remote terminal in a language selected by the first user during a configuring use of the remote terminal ”.

Claim itself is not restricted to configuring interface(s) as argued by appellant 1) above, since the claim does not recite “configuring of interface(s)”, rather, the user, in fact, configuring the appearance ( icons, buttons, numeric and alpha-numeric symbols ) of the interface on the display of the remote terminal in accordance with the language selected by the user. In view of this when a user of Moss et al selects a language and hence a “version” of Moss et al’s operating program [ col 29, lines 43-50, col 30, lines 7-10 ], the appearance of the interface of the remote terminal ( telephone-computer 1 or PC terminal 19 of Fig. 10 ) looks as in Fig. 18, described col 30, lines 27-35. Since, claims 2 and 31 are grouped together, same reasoning holds for claim 31.

Moss et al meet the claimed limitations of claims 2 and 31 and rejection of the claim elements under 35 U.S.C. 102 (e) is valid [ appellant’s arguments page 7, lines 10-13 ].

2) Page 7, lines 13-18: “ To that extent, the Examiner will appreciate that it is standard practice in the technology industry to have computers and/or electronic terminals destined for a particular country ( e.g., Germany ) to be preconfigured with the language of that country ( e.g., German ). Thus, a user in that country ( e.g., German user ) does not have to first configure and select the language of choice for his or her.

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Use of words “ German user ” was only meant to mention a user who intended to use the remote terminal for transaction in German language, wherever in the world he might be, as opposed to a German user in Germany, as argued by the appellant.

**Group III ( Claims 3 and 32 ).**

Appellant argues:

m) Page 7, line 21 ending page 8, line 1: “ the remote terminal can distinguish between the first user and the second user during subsequent accessing of financial services and display the language previously selected by that user ”.

In Moss et al, once a user selected a language, Moss et al’s system remembers/logs the selection and transaction performed ( termed as activity ) for subsequent use of the terminal, i.e., system recognizes e user(s) who had used the system for an activity/transaction in a selected language [ Moss et al: col 19, line 66 through col 20, line 15 in conjunction with col 22, lines 42-45 and lines 61-67, col 23, lines 19-36 ( specifically lines 23-25 and 34-36 ) and col 8, lines 30-38 ].



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**Group IV ( Claim 4 ).**

Appellant argues:

I) Page 8, line 17 through page 10, line 16. Appellant en endeavors to prove that Moss et al do not provide applications ( business or other ) resident on a host computer which controls the configuration of applications.

Moss et al provide a network host computer ( Fig. 10 ( 60 ) ] which provide applications, which are downloaded to the terminals [ Col 18, lines 33-67 ( specifically lines 33-36, 43-49, 49-54 and 63-67 ) continue col 19, lines 1-53 ( specifically lines 1-12, 44-48 and 49-53 ) and col 7, lines 41-50 ].

II) Page 9, lines 12-15: “However, a reading of col 19, lines 23-26, indicates that the “ accessing of the various service computers 60a-d and countless others, require that the network host computer be enabled to communicate according to a like variety of protocols ”.

Here, it will be appreciated that it is the network host computer which contains the applications ( as discussed above- I ) to be enabled to communicate with various service computers 60a-d and countless others, whatever number/type of protocols the service computers 60a-d had.

The controlling device, containing applications, is the network host computer 60 of Fig. 10, which facilitate provision of uniform connection to the overall Moss et al’s system no matter what the protocols were used by component devices/systems.

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III) Page 10, lines 2-5: “ Furthermore, system upgrades and configuration management are simplified. Likewise, maintaining a unified projection to a variety of users is also possible. Numerous individual business applications reside on the server in modular format, allowing the addition or subtraction of applications as desired ”.

Applications on Moss et al's network computer 8, Fig. 1 ( same as Fig. 10 ( 60 ) ) is the ones which is updated/modified/upgraded etc. [ Col 14, lines 41-50 and 56-62 ].

IV) Page 10, lines 6-13: Moss et al's different versions suggest multiple configurations of the same business application, rather than single configuration of the plurality of business applications in claim 4.

As discussed in III above, applications including different versions are resident on network computer Fig. 1 ( 8 ), which is same as Fig. 10 ( 60 ), and are downloaded from there to the user terminals. User terminal configuration is not affected, only the screen/display shows a icons, symbols etc in accordance to the user selected language. Moss et al's versions are the various forms/presentations of the same presentation ( main version ) that are displayed to do business in user's desired language [ , col 29, lines 43-50 and col 30, lines 7-26 ]. Moss et al do not disclose different configurations, rather show single configuration as far as system users are concerned.

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**Group V ( Claim 5 ).**

Appellant argues:

Page 10, line 18 through col 11, line 3 : “ Further, claim 5 recites that configuring the user’s software includes selecting a language. Moss et al discusses dicisses different versions of the same application program for use by different customers languages ( e.g., German ) other than English. However, it does not disclose or suggest configuring the user software to reflect each user’s preferences, including selecting a language, as recited in claim 5.

The matter has been discussed above.

**Group VI ( Claims 38, 39 and 52 ).**

Appellant states: The combination of featyres were recited in claims 38, 39 and 52 are not disclosed or suggested by the Moss et al reference.

Since Moss et al do not disdclose the features in claims 38, 39 and 52, the claims were rejected under 35 U.S.C. 103 (a). Moreover, Official notice were taken, because the claimed features in claims 38, 39 and 52 were notoriously known and practiced in the computer and computerized business arts at the time of the invention under consideration. It would have been obvious to one of ordinary skill in the art to advantageously make use of the avaiable techniques, practices, devices etc as claimed.

Appellant did not question the taking the Official Notices. Rejections are maintained.

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**(12) Conclusion**

Appellant's arguments are deemed unpersuasive in that they fail to consider the breadth of the claim language; appellant's reading of the claims is narrower than the actual claim language. Furthermore, since limitations of the specification are not read into a claim to avoid improperly narrowing the scope of the claim by implicitly adding/subtracting disclosed limitations which would have no *express basis* in the claim, the claims are met by the prior art of record.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



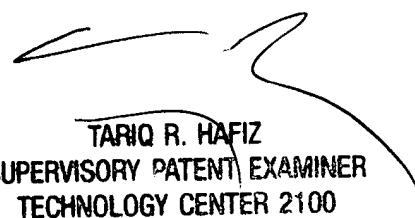
M. Irshadullah  
October 19, 2001

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